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April 8, 2013

The Honorable Alison J. Nathan
United States District Judge
United States District Court
Southern District of New York
500 Pearl Street
Room 615
New York, New York 10007

Re: Scott A. Chambers v. Merrill Lynch, 10-civ-07109 (AJN)

Dear Judge Nathan:

We represent Defendants Merrill Lynch & Co., Inc., Merrill Lynch, Pierce, Fenner & Smith, and Bank of America Corporation in the above-referenced matter. We write on behalf of all parties to request that the Court sign and enter the attached Stipulation to File Non-Original and Original Opt-Out Forms Under Seal.

Paragraph 18 of the Court's December 13, 2012 Order Preliminarily Approving the Settlement and Providing for Notice (Docket Entry #122) provided for the filing of original Opt-Out Forms under seal. The deadline for such filing was April 5, 2013. It came to our attention on April 5 that the Claims Administrator in this action obtained copies, not originals, of certain Opt-Out Forms submitted by class members. The parties have jointly agreed and stipulated to the acceptance of these non-original Opt-Out Forms and to the filing of same under seal, as provided for by the Court with regard to originals. We request that the Court sign and enter the attached Stipulation to allow Defendants to file all original **and non-original** Opt-Out Forms under seal. We thank the Court for its consideration of this request.

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Respectfully submitted,

/s/ Samuel S. Shaulson
Samuel S. Shaulson

Attachment

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

SCOTT A. CHAMBERS, JOHN C.
BURNETTE and ERIC SHWILK, on behalf of
themselves and all others similarly situated,

Plaintiffs,

vs.

MERRILL LYNCH & CO., INC., MERRILL
LYNCH, PIERCE, FENNER & SMITH, and
BANK OF AMERICA CORPORATION,

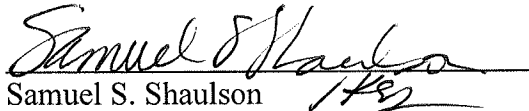
Defendants.

No. 1:10-cv-07109-AJN

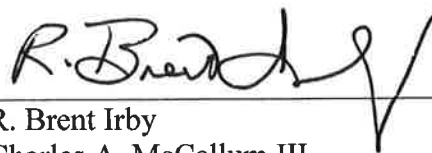
**STIPULATION TO FILE NON-ORIGINAL AND ORIGINAL OPT-OUT FORMS
UNDER SEAL**

The undersigned hereby stipulate that Defendants may file non-original Opt-Out Forms, as well as original Opt-Out Forms under seal, as provided for in the Court's December 13, 2013 Order Preliminarily Approving the Settlement and Providing for Notice (Docket Entry #122).

Dated: New York, NY
April 8, 2013


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One of the Attorneys for Plaintiffs

SO ORDERED:

CERTIFICATE OF SERVICE

I hereby certify that on April 8, 2013, the foregoing Stipulation to File Non-Original and Original Opt-Out Forms Under Seal was sent to the Court via electronic mail with copies to all counsel of record.


MORGAN, LEWIS & BOCKIUS LLP 
Attorney for Defendants

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